IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 235 of 2004 (M/B)

M/s Hari Kripa Filling Station,
Tehsil and District Haridwar
Through its proprietor Sudhir Kumar
S/o Late Sri Sita Ram
Proprietor Hair Kripa Filling Station,
Jwalapur Bye Pass Raod,
District Haridwar …… Petitioner

Versus

1. State of Uttaranchal through
   its District Magistrate, Haridwar.
2. Hindustan Petroleum Corporation
   through its Regional Officer,
   Regional Office Ved Vyas Puri Partapur,
   Meerut.
3. M/s Jagat Petroleum Filling Station,
   Jwalapur Bye Pass Road,
   Through its proprietor,
   Gurjinder Singh s/o Jagat Singh
   Jwalapur Bye Pass Road, Haridwar.
4. Haridwar Development Authority
   through its Secretary. …… Respondents

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Mr. Sharad Sharma, Advocate for the petitioner.
Mr. N.C. Gupta, Standing Counsel for respondent no. 1.
Mr. V.B.S. Negi, Asstt. Solicitor General for respondents 2.
Mr. Alok Singh, Senior Advocate for respondent no. 3.
Mr. Vipul Sharma, Advocate for respondent no. 4.

Coram: Hon'ble Rajeev Gupta, C.J.
Hon'ble P.C. Pant, J.

RAJEEV GUPTA, C.J.

Mr. Sharad Sharma, Advocate for the petitioner.

Mr. N.C. Gupta, Standing Counsel for respondent no. 1.

Mr. V.B.S. Negi, Asstt. Solicitor General for respondents 2.

Mr. Alok Singh, Senior Advocate for respondent no. 3.

Mr. Vipul Sharma, Advocate for respondent no. 4.

2. Mr. Sharad Sharma, learned counsel for the petitioner, in view of the averment made by respondent no. 4 in the counter affidavit that the proceedings under Section 27 and 28 of the U.P. Urban Planning and Development Act, 1973 have been initiated against respondent no. 3, seeks permission to withdraw the writ petition with the liberty of filing another petition, if future development so warrant.

3. Permission granted.

4. With the above liberty, the writ petition is dismissed as withdrawn.

(P.C.Pant, J.) **(Rajeev Gupta, J.)**
04.04.2006 **04.04.2006**